

DATE FILED PDC

JUN 28 2005

**Certification for a
Complaint to the Washington State Public Disclosure Commission Relating to an
Elected Official or Candidate for Public Office
(Notary Not Required)**

RECEIVED

JUN 29 2005

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this attached complaint are true and correct.

Public Disclosure Commission

Your signature: _____

Your printed name: _____

Street address: _____

City, state and zip code: _____

Telephone number: _____

E-Mail Address: (Optional) _____

Date Signed: _____

Place Signed (City and County): _____

City

County

*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

COMPLAINT ATTACHED

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JUN 28 2005

**Formal Complaint to the Washington State Public Disclosure Commission
Relating to an Elected Official or Candidate for Public Office**

Name of Official or Candidate: BETTER COMMUNITY SOLUTIONS

Address of Official or Candidate: PO Box 5011

Official's or Candidate's FERNDALE WA 98248
City State Zip Code

Official's or Candidate's Telephone: 360 752 2727
(Include Area Code)

Official's or Candidate's E-Mail Address: _____
(If known)

Your signature: Todd Donovan

Your printed name: TODD DONOVAN

Street address: 2407 CHERRY ST

City, state and zip code: BELLINGHAM WA 98225

Telephone number: 360 647 8520

E-Mail Address: (Optional) donovan66@msn.com

Date Signed: 28 JUNE 2005

Place Signed (City and County): BELLINGHAM WHATCOM
City County

Complaint: (Attach Complaint and Certification)

ATTACHED, EXAMPLE OF THEIR
NEWSPAPER AD ALSO ATTACHED.

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Public Disclosure Commission

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June 28, 2005

Phil Stutzman, Director of Compliance
711 Capitol Way #206 PO Box 40908
Olympia, WA 98504-0908

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Public Disclosure Commission

Dear Mr. Stutzman,

On Saturday, June 18th the political action group 'Better Community Solutions' apparently paid for the inclusion of an independent expenditure advertisement, in the form of a four page insert, in the Bellingham Herald (see attached.) The piece is a negative publication against incumbents Barbara Ryan Bellingham City Council Member, Seth Fleetwood Whatcom County Council member and Laurie Caskey-Schreiber Whatcom County Council Member. I have five serious concerns about the insert and its multiple PDC violations.

First, this was distributed to citizens via the newspaper on June 18th. As I understand it, PDC law requires a report to be filed of all independent expenditures made during the campaign prior to and including this expenditure, within 5 days after the date of making the expenditure. However, as of today, Tuesday June 28th, at least nine days past the deadline, no filing has been made.

Second, and in my opinion the most egregious violation, the piece fails to list the Top 5 contributors. Since they've failed to file a report as required by law citizens have no way of knowing who has funded this newspaper insert. While it seems that their PDC report listing \$3,226 in funds may not account for enough funds to pay for this insert (although we can only speculate at this point) to date their top 5 donors are: the Association of General Contractors, the Whatcom Council for Affordable Housing, the Whatcom County Republican Party, Bob Weerdhuizen and Anonymous. Their newspaper insert claims they support "protecting our water, environment and farmland" yet their top 5 donors are groups whose stated policies oppose the protection of water, environment and farmland. Thus I believe the piece is a deliberate effort to hide who funded it and to mislead voters.

Third, it also fails to use the strict and explicit Notice to Voters language outlined and required by the PDC. In failing to include the Notice to Voters language of an Independent Expenditure as required by law, the piece appears designed to masquerade as actual news rather than as a campaign hit piece.

Fourth, there is a significant donation of \$121 from 'Anonymous.' Anyone who gives more than \$25 must be identified by full name and address. Not only is this donation not identified, but it's likely that the intent is to conceal the identity of the source, a serious violation under RCW 42.17.120.

Finally, several of the top donors are not identified by full name. For example, a \$500 entry states simply AGC and another \$500 donation, WCRP. I assume, based on the membership of the steering committee that those donations are from the Association of General Contractors and the Whatcom County Republican Party. However, the rules clearly require a full name for full disclosure.

It should be noted that the individuals on the steering committee are not novices but, instead are veterans of political work. Several, including the president, are past candidates for public office. Several have served as treasurers, paid consultants or members of political committees, including committees, such as the Whatcom County Republican Party and the Chamber of Commerce, that have made serious violations of PDC law in the recent past. According to the Better Community

Solutions website, www.bettercommunitysolutions.com, current leadership and steering committee members are as follows:

Gerald Baron, at large, President
Liz Evans, Associated General Contractors, Chair of Steering Committee
Charlie Crabtree, at large, Secretary/Treasurer
Ken Oplinger, Bellingham/Whatcom Chamber of Commerce
Bill Quehrn, Building Industry Association, Candidate Committee Chair
Gail Parlatore, Republican Women of Whatcom County, Steering Committee
Scott Thiele, Resident of Sudden Valley, Steering Committee
Dr. Gary Goldfogel, NW Business Club, Steering Committee

We ask that you investigate this matter, direct that the group 'Better Community Solutions' make the proper disclosures and impose appropriate penalties for its widespread disregard of important rules and of the law. Given the frequent PDC violations by members of the group, we ask that these violations be treated as second offenses.

Thank you for your anticipated prompt attention to these important matters.

Sincerely,



Todd Donovan
Whatcom County Chapter of Washington Conservation Voters

BELLINGHAM WA.
2467 CEDAR ST.
98225